

## CHAPTER 849.

*An act to amend section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay.*

Stats 1923,  
p 85,  
amended.

[Approved by the Governor June 12, 1933. In effect August 21, 1933.]

*The people of the State of California do enact as follows:*

SECTION 1. Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of Coronado in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, is hereby amended to read as follows:

Stats 1929,  
p 1172

Sec. 1. There is hereby granted and conveyed to the city of Coronado, a municipal corporation in the county of San Diego, State of California, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty in and to all the tidelands and submerged lands (whether filled or unfilled), and situated upon the Coronado side of the bay of San Diego, in the county of San Diego, State of California, lying between the line of mean high tide and the pierhead line in said bay, as said pierhead line has been or may hereafter be established by the Federal government, and between the prolongation of the easterly boundary line of the city of Coronado into Glorietta Bay, a portion of said San Diego Bay, and the prolongation of the westerly boundary line of said city of Coronado into Spanish Bight, a portion of said San Diego Bay; to be forever held by said city of Coro-

Lands  
granted to  
Coronado.

nado in trust for the uses and purposes and upon the express conditions following, to wit:

Use of  
lands.

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion of commerce, navigation and fisheries, and for the establishment and maintenance of bathhouses and bathing facilities, and boathouses necessary or convenient for the inhabitants of said city and said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, however, that said city of Coronado may grant franchises thereon for wharves, docks, piers, slips, quays, bathhouses and bathing facilities, boathouses and any other public uses and purposes, and may lease said lands or any part thereof for any of said uses or purposes hereinabove enumerated, or for any purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation of said harbor, to person, firms or corporations for a period not exceeding fifty years; provided, however, that said city may have the right to renew such lease or leases for the further term not exceeding twenty-five years, or to terminate the same upon such terms, reservations and conditions as may be stipulated in such lease or leases.

Leases.

Rental

Every such lease shall provide for the payment of rentals to the city of Coronado, which said rentals shall either be at an agreed figure, or shall be arrived at in such manner as may be mutually agreed upon, and provided for in said lease or leases.

Said leases shall also provide that at no time during their term, shall the said city of Coronado be required to make any improvements on or for the benefit of the leased lands. Every lease so executed shall reserve to the city council and to the people of the city of Coronado, the right and privilege by ordinance duly adopted, to terminate, change or modify such lease or leases on such terms, reservations and conditions as may be stipulated in such lease or leases.

Harbor  
to be  
public.

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California.

No discrimi-  
nation in  
rates

(c) That in the management, conduct or operation of said harbor or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges or in facilities for any use or service in connection

therewith shall ever be made, authorized or permitted by said city.

Reserving, however, for the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose.

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Right to  
fish  
reserved